

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47436 of 2014

Arising Out of PS.Case No. -507 Year- 2014 Thana -TURKAULIA District- EAST CHAMPARAN
(MOTIHARI)

- =====
1. Sonu Kumar Son of Ramanand Ram
 2. Yogendra Ram Son of Late Shiv Nandan Ram
 3. Rajendra Ram Son of Dhona Ram,
All resident of village - Shankar Saraiya South Ward No. 1, P.S. -
Turkaulia, District- East Champaran.

... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

4 19-05-2015 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners apprehend arrest in Turkaulia
P.S. Case No. 507 of 2014 dated 01.08.2014 instituted under
Sections 341/353/504/34 of the Indian Penal Code.

The application as far petitioners no. 1 and 2
are concerned had earlier become infructuous as they had
been arrested and thus the present application is restricted to
petitioner no. 3.

The allegation against the petitioners were that
they during an 'Aam Sabha' held for the purposes of selecting
'Anganwari Sewika', the informant who is CDPO was assaulted
and her car keys were also snatched away.

Learned counsel for the petitioners submits

that the informant herself had committed grave irregularity due to which the crowd had become reckless and only because the petitioners were also present, they have been named.

Learned A.P.P. submits that since the petitioners no. 1 and 2 after arrest have been released on bail, the petitioner no. 3 should also avail of his remedy of seeking regular bail after surrendering before the Court below.

At this juncture, learned counsel for the petitioner no. 3 seeks permission to withdraw the application so that he may surrender before the Court below and seek regular bail as has been done by petitioners no. 1 and 2, who have also been granted bail.

In view of the aforesaid, the application against petitioner no. 3 stands disposed off as withdrawn. In the event petitioner no. 3 surrenders and seeks regular bail, the Court below shall consider the same on its own merit, and also take into consideration the fact that the petitioners no. 1 and 2 have been granted bail, and pass orders in accordance with law without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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